#### No. PD-0552-18

# IN THE COURT OF CRIMINAL APPEALS COU

OF THE STATE OF TEXAS

S FILED COURT OF CRIMINAL APPEALS 11/13/2018 DEANA WILLIAMSON, CLERK

## Ex parte Jordan Bartlett Jones, Appellant

Appeal from Smith County

MOTION FOR LEAVE TO FILE STATE PROSECUTING ATTORNEY'S REPLY BRIEF

\* \* \* \* \*

Stacey M. Soule State Prosecuting Attorney Bar I.D. No. 24031632

JOHN R. MESSINGER Assistant State Prosecuting Attorney Bar I.D. No. 24053705

> P.O. Box 13046 Austin, Texas 78711 information@spa.texas.gov 512/463-1660 (Telephone) 512/463-5724 (Fax)

#### TO THE HONORABLE COURT OF CRIMINAL APPEALS:

The State Prosecuting Attorney respectfully presents her motion for leave to file a reply brief pursuant to Texas Rules of Appellate Procedure 70.4 and 38.3. The State's reply brief is timely pursuant to Texas Rule of Appellate Procedure 38.6(c).

## **PRAYER FOR RELIEF**

WHEREFORE, the State of Texas prays that the Court of Criminal Appeals grant it leave to file its reply brief.

Respectfully submitted,

/s/ John R. Messinger

JOHN R. MESSINGER Assistant State Prosecuting Attorney Bar I.D. No. 24053705

P.O. Box 13046 Austin, Texas 78711 information@spa.texas.gov 512/463-1660 (Telephone) 512/463-5724 (Fax)

### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 12<sup>th</sup> day of November, 2018, a true and correct copy of the State's motion for leave to file a reply brief has been electronically served on the following:

Michael J. West Smith County Assistant District Attorney 4th Floor, Courthouse 100 North Broadway Tyler, Texas 75702 mwest@smith-county.com

Mark W. Bennett Bennett & Bennett 917 Franklin Street, Fourth Floor Houston, Texas 77002 MB@ivi3.com

Mishae M. Boren Boren & Mims, PLLC 216 W. Erwin Street, Suite 300 Tyler, Texas 75702 Mishae.boren@gmail.com

Courtesy Copy Provided:
Texas Solicitor General Kyle Hawkins
Office of the Attorney General
P.O. Box 12548 (MC 059)
Austin, Texas 78711
kyle.hawkins@oag.texas.gov
andrew.davis@oag.texas.gov

/s/ John R. Messinger

John R. Messinger Assistant State Prosecuting Attorney